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To Commissioner for Patents  
Company UNITED STATES PATENT AND TRADEMARK OFFICE  
Fax number 1.571.273.8300  
From Bella Fishman  
Date August 2, 2005  
Subject US Patent Application No. 10/829,640  
Filing Date: April 22, 2004  
Varian Docket No. 04-02 IJS



Pages (including this sheet) 6

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Abbie Kuo

8/2/05

Signature

Date Signed

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NO. 0719 P. 2

Docket No. 04-02 US

AUG 02 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Swon, et al.

Serial No.: 10/829,640

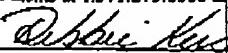
Date Filed: April 22, 2004

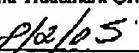
Title: APPARATUS AND METHOD FOR  
AGITATING A SAMPLE DURING IN  
VITRO TESTING

Examiner: Not Assigned

Art Unit: 1744

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In accordance with the Applicants duty of disclosure under 37 CFR §1.56 and further in accordance with the provisions of 37 CFR §1.97 and 1.98, the Examiner is requested to consider and cite the references listed on the enclosed form.

The filing of an Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be prior art or material to patentability as defined by §1.56.

The references are cited in the enclosed search report mailed on July 6, 2005 in the course of a foreign counterpart prosecution. All references submitted herewith are deemed relevant because of citation in the foreign counterpart prosecution.

Applicants certify that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than 3 months prior to the filing date of this Information Disclosure Statement.

Respectfully submitted,



Bella Fishman  
Agent for Applicants  
Registration No. 37,485

Date: August 2, 2005

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet

10

Application Number	10/829,640		
Filing Date	April 22, 2004		
First Named Inventor	James E. Swbn		
Art Unit	1744		
Examiner Name			
Attorney Docket Number	04-02 US		

U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

<sup>a</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>b</sup>Applicant's unique citation designation number (optional). <sup>c</sup>See Kinda Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 601.04. <sup>d</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>e</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>f</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>g</sup>Applicant is to place a check mark here if English language Translation is attached.

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